

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE  
STATE OF NEVADA HERETOFORE APPROPRIATED**

JUL 28 1976

Date of filing in State Engineer's Office

Returned to applicant for correction

Corrected application filed

Map filed

JUL 28 1976

The applicant Urban J. Fleckenstein and Fred Hess (deceased)P. O. Box 314

of

Virginia City

Street and No. or P.O. Box No.

City or Town

Nevada 89440

State and Zip Code No.

\_\_\_\_\_, hereby make application for permission to change the  
Place of Use of a portion (per telephone call 8-19-76)

of water heretofore appropriated under Permit No. 28361

(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

- The source of water is Wells Tunnel  
Name of stream, lake or other source.
- The amount of water to be changed 0.5 second feet  
Second feet, acre feet.
- The water to be used for mining, milling and domestic  
If for stock state number and kind of animals.
- The water heretofore used for mining, milling and domestic  
If for stock state number and kind of animals.
- The water is to be diverted at the following point being in the SE $\frac{1}{4}$  SE $\frac{1}{4}$  Section 6,  
T.16N., R.21E., M.D.B.&M., from which the southeast corner of said  
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be  
Section 6, bears S. 86° 20' 16" E., 1257.90 feet  
stated.
- The existing point of diversion is located within same

If point of diversion is not changed, do not answer.

- Proposed place of use NW $\frac{1}{4}$  Section 8, T.16N., R.21E., M.D.B.&M.  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
- Existing place of use SE $\frac{1}{4}$  SE $\frac{1}{4}$  Section 6, SW $\frac{1}{4}$  SW $\frac{1}{4}$  Section 5, NE $\frac{1}{4}$  NE $\frac{1}{4}$  Section  
Describe by legal subdivisions. If presently used for irrigation, state number of acres irrigated.  
7, and NW $\frac{1}{4}$  NW $\frac{1}{4}$  Section 8, T.16N., R.21E., M.D.B.&M.
- Use will be from 1st January to 1st December of each year.  
Day and Month Day and Month
- Use has been from 1st January to 1st December of each year.  
Day and Month Day and Month
- Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Water will be dammed and pumped into  
State manner in which water is to be diverted, whether by dam or other works,  
a water truck and hauled by road to the proposed place of use.  
whether through pipes, ditches, flumes, or other conduits.  
It will then be pumped into a storage tank from which runs a 2"  
pipe to the millsite.

12. Estimated cost of works. \$2,000
13. Estimated time required to construct works. SEE 15
14. Estimated time required to complete the application of water to beneficial use. 60 days
15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

The works have been constructed for about 6 months and will take  
but only a few days to start the use of the water.

Compared jw/bs lk/jw Applicant Urban J. Fleckenstein &  
Fred Hess (deceased)  
 By s/ Greg Hess (agent)  
P. O. Box 314  
Virginia City, Nevada 89440

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the place of use of a portion of the waters of Wells Tunnel as heretofore granted under Permit 28361 is issued subject to the terms and conditions imposed in said Permit 28361 and with the understanding that no other rights on the source will be affected by the change proposed herein. A measuring device must be installed and measurements of water use kept.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.5 cubic feet per second but not to exceed 1.248 million gallons annually.

Actual construction work shall begin on or before March 25, 1977

Proof of commencement of work shall be filed before April 25, 1977

Work must be prosecuted with reasonable diligence and be completed on or before March 25, 1977

Proof of completion of work shall be filed before April 25, 1977

Application of water to beneficial use shall be made on or before July 2, 1978

Proof of the application of water to beneficial use shall be filed on or before August 2, 1978

Map in support of proof of beneficial use shall be filed on or before \_\_\_\_\_

Commencement of work filed FEB 18 1977

Completion of work filed FEB 18 1977

Proof of beneficial use filed AUG 3 1978

Cultural map filed 9-29-78

Certificate No. 9298 Issued 11-9-78

Recorded Bk. Page \_\_\_\_\_

IN TESTIMONY WHEREOF, I ROLAND D. WESTERGARD  
 State Engineer of Nevada, have hereunto set my hand and the seal of  
 my office, this 25th day of January

A.D. 19 77

State Engineer